

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEVEN SAND,

Plaintiff,

v.

Case No. 19-C-348

MICHAEL HAFEMANN, et al.,

Defendants.

ORDER

On September 27, 2022, counsel for Plaintiff Steven Sand advised the Court that the parties had reached a settlement and would “file the stipulation and order to dismiss as soon as the resolution is codified.” Dkt. No. 111. That same day, the Court vacated all dates relating to motions, filings, schedules, conferences, and trial, and ordered the parties to file a stipulation of dismissal by October 28, 2022. Dkt. No. 112. The Court warned the parties that “[f]ailure to comply with this order may result in dismissal with prejudice pursuant to Civil L. R. 41(c) for failure to prosecute this action in a timely manner.” *Id.* On October 31, 2022, the Court granted the parties’ letter request for additional time to file the closing paperwork. Dkt. No. 114.

On November 11, 2022, counsel for Sand filed a letter explaining that he believed the parties had reached an impasse regarding “a couple lingering details regarding the resolution of the case.” Dkt. No. 115. Counsel explained that the “case may either have a need to go back on the trial calendar, or the Court may choose to enforce the terms of the mediation agreement.” *Id.* Counsel anticipated that the County Defendants would file a motion to enforce the mediation agreement “soon.” *Id.* On November 16, 2022, in a text-only order, the Court ordered that

“motions to enforce the mediation agreement or set a trial date must be filed by November 29, 2022.” Dkt. No. 116. The Court warned that “[f]ailure to comply with this order may result in dismissal with prejudice pursuant to Civil L. R. 41(c) for failure to prosecute this case in a timely manner.” *Id.* The deadline has passed and neither party has filed a motion, asked for additional time to do so, or advised the Court of how they intend to proceed.

IT IS THEREFORE ORDERED that this action is **DISMISSED with prejudice** pursuant to Civil L. R. 41(c) based on a failure to diligently prosecute it. The Clerk of Court shall enter judgment accordingly.

Dated at Green Bay, Wisconsin this 5th day of December, 2022.

s/ William C. Griesbach
William C. Griesbach
United States District Judge